Sectt. II-27—23,006—24-12-32.

Public (Police) **(1934) Department.**

Ms SERIES.

G.O. No. 182

DATED 10-4-1934

[Despatch Abstract.]

Legislative Council Question - March 1934 -
Arms Act - South Kanara district - Gun licenses
Cancellation

Starred Question. Council Office,

17-2-34.

Mr. U.C.Subrahmanya Bhatt:-

THE PUBLIC DEPARTMENT.

* 993. Will the hon. the Home Member be pleased to state:-

(a) whether it is a fact that a large number of gun licenses have been recently cancelled in the district of SouthKanara; if so, what the number is of the licenses so cancelled;

(b) ~~whether it is a fact that a large~~ number of the gun licenses ~~was~~ cancelled ~~because~~ on the ground that the license holders did not purchase cartridges during the current year; ~~if so, what the number is of licenses cancelled on that ground;~~

(c) whether any notices were issued to the license holders or explanation taken from them before the licenses were to be cancelled;

(d) whether the gun licenses were cancelled by the Collector of South Kanara on his own initiative or under instructions from the Government;

(e) whether the Government are aware that fresh cartridges were not purchased by the license holders, because of the fact that the license holders had either old cartridges purchased the previous year or were preparing cartridges themselves out of powder purchased;

(f) whether the people of Puttur Taluk complained to the Collector at the recent Jamabandi regarding the cancellation of licenses; if so, what action the Collector has taken on the same?

T.N.G.

Public(Police)Department.

Memo. 4644-1 d 26.2.1934

Arms Act- Cancellation of ~~xx~~ licences.

The District Magistrate of South Kanara is asked to report not later than 6/3-3-1934:-

(1) the number of licences for guns which have been cancelled in his district since August 1933, ~~and~~

(2) the number of licences cancelled on the ground of failure to purchase ammunition during 1933 and

(3) whether the people of Puthur taluk had complained to him at the recent Jamabandi regarding the cancellation of the licences and if so what action he has taken on it.

To the D.M. of S.Kanara.

6/3
R.D. 3-3-1934.

Y/27

3

Legislative Council Question No. 993* (Starred)

Mr.U.C.Subrahmanya Bhatt.

Question.

* 993. Will the hon the Home Member be pleased to state:-

(a) whether it is a fact that a large number of gun licences have been recently cancelled in the district of South Kanara; if so, what the number is of the licences so cancelled;

(b) what the number is of the licences cancelled on the ground that the licence holders did not purchase cartridges during the current year;

(a), (b) and (e) - The Govt. have no information but have called for it.

(c) whether any notices were issued to the licence holders or explanation taken from them before the licences were cancelled;

(c) - Neither under the Indian Arms Act, 1878, nor under the Indian Arms Rules, 1924, is it necessary to issue any notice to or obtain the explanation of licensees.

(d) whether the gun licences were cancelled by the Collector of South Kanara on his own initiative or

under ~~the~~ instructions from the Government; and

(d) Beyond the general instructions issued to all licensing authorities that in dealing with applications for the grant or renewal of licences for guns they should freely exercise the discretion vested in them by rule 43 of the Indian ~~Arms Rules, 1924~~, No special instructions were issued by the Govt. to the D.M. of South Kanara.

(e) whether the people of Puthur Taluk complained to the Collector at the recent Jamabandi regarding the cancellation of licences; if so, what action the Collector has taken on the same?

Public (Police) No 4644-2
26.2.34

Starred

1726
5

Legislative Council Question No. 993 starred.

Mr. U.C. Subrahmanya Bhatt.

Will the hon. the Home Member be pleased to state ;-

(a) whether it is a fact that a large number of gun licences have been recently cancelled in the district of South Kanara; if so, what the number is of the licences so cancelled;

(b) what the number is of the licences cancelled on the ground that the licence holders did not purchase cartridges during the current year;

(c) whether any notices were issued to the licence holders or explanation taken from them before the licences were cancelled;

(d) whether the gun licences were cancelled by the Collector of South Kanara on his own initiative or under instructions from the Government; and

(e) whether the people of Puthur Taluk complained to the Collector at the recent jamabandi regarding the cancellation of licences; if so, what action the Collector has taken on the same ?

Public (Police) Department.

A n s w e r.

(a), (b) and (e) - The Government have no information but have called for it.

(c) - Neither under the Indian Arms Act, 1878, nor under the Indian Arms Rules, 1924, is it necessary to issue any notice to or obtain the explanation of licensees.

(d) - No special instructions were issued by the Government to the District Magistrate of South Kanara.

for Chief Secretary to Govt.

To

The Council Office

28

The above answer has been approved by the Hon'ble Khan Bahadur Sir Mahomed Usman Sahib Bahadur, K.C.I.E.

Public (Police) u.o. No. 4644-2, dated 26/2/34.

"VP

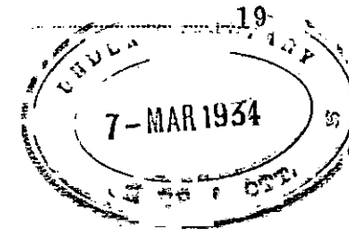
C.F. 30.

PUBLIC (POLICE) **DEPARTMENT.**

C 3151

Received ..... 19 . *Registered* 19

Subject.



Arms Act - cancellation of licences - Information - furnished.

praise

Government Memorandum No.4644-1 Public (Police) Department, dated 26.2.1924.

ENCLOSURES.
No. .....
.....
Spare copies .....

L.Dis.C2. No.1159-M-34.

Station Mangalore ..., *Dated the* 5th March 1934.

From (Name) E. M. Gawne, Esquire, I.C.S.,

(Designation) Dt.Magistrate of South Kanara.

To The Chief Secretary to the Government of Madras,

Public (Police) Department,

Madras.

Sir,

The Memorandum quoted above though dated 26th February was received by me on 2.3.1934. The information called therein is given below:-

(1) No.of licences for guns cancelled owing to death of licensees and other causes since August 1933 to 31.12.1933, including those shown in (2)	423
(2) No.of licences for guns cancelled for non-purchase of ammunition	273

(3) At the 'ryots' conference' at the Jamabandi of Puttur Taluk the cancellation of licences was brought forward as a grievance but the only concrete instance given was of an elderly Muhammadan trader living in Puttur town. Several licensees brought petitions on the Jamabandi days; each petition was dealt with on its merits; but the licences of headmen were renewed whenever they made representations.

2. I also desire to add that during the year 1933, 963 applications for licences were entertained in my office of which 652 were granted.

Your obedient servant,

Dt. Magistrate.

5-3-34

M.D'S.5/3.

9

Extract from Leg. Council Proceedings dated 8 & 14 March 1934

Arms and Ammunitions

Cancellation of gun licences in South Kanara.

* 726 *Q.*—Mr. U. C. SUBRAHMANYA BHATT: Will the Hon. the Home Member be pleased to state—

(*a*) whether it is a fact that a large number of gun licences have been recently cancelled in the district of South Kanara; if so, what the number is of the licences so cancelled;

(*b*) what the number is of licences cancelled on the ground that the licence-holders did not purchase cartridges during the current year;

(*c*) whether any notices were issued to the licence-holders or explanation taken from them before the licences were cancelled;

(*d*) whether the gun licences were cancelled by the Collector of South Kanara on his own initiative or under instructions from the Government; and

(*e*) whether the people of Puttur taluk complained to the Collector at the recent jamabandi regarding the cancellation of licences; if so, what action the Collector has taken on the same?

A.—(*a*), (*b*) & (*e*) The Government have no information but have called for it.

(*c*) Neither under the Indian Arms Act, 1878, nor under the Indian Arms Rules, 1924, is it necessary to issue any notice to or obtain the explanation of licensees. 1C

(*d*) No special instructions were issued by the Government to the District Magistrate of South Kanara.

Mr. U. C. SUBRAHMANYA BHATT:—"May I know whether the Government have received any further information now?"

The Hon. Sir MAHOMED USMAN:—"Yes, Sir, we have received further information from the District Magistrate and I shall read it out to the House:—

(1) Number of licences for guns cancelled owing to death of licensees and other causes since August 1933 to 31st December 1933—423.

(2) Number of licences for guns cancelled for non-purchase of ammunition—273.

(3) At the ryots' conference at the jamabandi of Puttur taluk, the cancellation of licences was brought forward as a grievance but the only concrete instance given was of an elderly Muhammadan trader living in Puttur town. Several licensees brought petitions on the jamabandi days; each petition was dealt with on its merits; but the licences of headmen were renewed whenever they made representations.

"The District Magistrate says that during the year 1933, 963 applications for licences were entertained in his office of which 652 were granted."

Mr. U. C. SUBRAHMANYA BHATT:—"May I ask whether the Government consider that it is proper to cancel such a large number of licences as 273 for the mere reason that ammunition was not purchased during the year?"

The Hon. Sir MAHOMED USMAN:—"It is a matter of opinion."

Mr. SAMI VENKATACHALAM CHETTI:—"Are the Government aware that a big landholder was refused licence for the possession of a gun on the mere ground that he had not been purchasing ammunition?"

The Hon. Sir MAHOMED USMAN:—"I have no information, Sir. If the hon. Member brings any specific case to the notice of the Government, I will consider the matter."

Mr. U. C. SUBRAHMANYA BHATT:—"Could it not be that if ammunition was not purchased during the year, he might have used the ammunition purchased during the previous year?"

The Hon. Sir MAHOMED USMAN:—"It is hypothetical, Sir."

Law Dept. III-8—2,000—25-5-33.

QUESTION.—No. 993 for the meeting of the Legislative Council ~~to be held~~ on the 21 - 2 - 1934

SUBMITTED that two copies of this Question may be forwarded to the Public Department.

The Question has been admitted.

21/2/34

21/2/34

U.O. No. , *dated*

To

The Pub's Department.

Public (Police) Dept

[Advance copy circulated to H.M. C-I]

---

clauses (a), (b) and (e). The information is not available here. It is however apparent from ~~three~~ three appeals received from persons in South Kanara that a number of licences have been cancelled on the ground that no ammunition was purchased for ~~over~~ a long time and that this non-purchase proved that the licensees had no need for their guns. For orders whether information should be called for. If so, draft below is for approval.

A.I Clause (e). No notice is necessary under

25

The D.M: has been cancelling licences illegally. Govt has not issued any instructions to cancel licences. The question of renewal is different, but no special instructions has issued to the DM S. Kanara.

NMB
22.2.74

C.T.
25/2/74

Above
25/2

A | The Arms Act or the Rules thereunder. It does not therefore seem necessary, to ask the D.M to furnish the information on this point. The answer may be framed as at A above.

Clause (d). The Govt have not issued any instructions to cancel arms licences - Please see paras 21(c)/78 and 3 G.O. No 440 Public dt. 6.8.1933.

A draft answer is also subd for Consideration

22.2.34

22/2

It would appear that the D.M. has been fully and illegally cancelling licences. In the case of the three appeals that have come up it has been held that his orders must be reversed. It may be presumed that the same would apply to all the orders he has issued. These orders being illegal it is a question for consideration whether the D.M. should not be instructed to withdraw them and exercise his discretion by refusing to renew licences instead. If so, these instructions may have an effect on the future connected with the three appeals. On the other hand, as the damage has been done, the matter might be left alone and appeals dealt with as they come in. For orders Draft may be.

Extract taken and orders issued in G.O. No 1141 Public (Police) dt 2.3.1934 not printed.

yes 1/11/34 22/2

22/2

24/7/3

4

Pub(Police) Dept

26/10.4.

L.C.Q – Arms Act – South Kanara district – Cancellation of gun licences

—

(Cl. b1 S1) From the D.M. of S. Kanara L. Dis C2 No. 1159-M-34 d 5.3.1934.

The ~~question~~ information furnished by the D.M. & was called for ~~with reference to~~ This question clauses (a) and (b) of question No. 993. ~~which~~ is to be answered tomorrow in the Leg. Council – cf. h1 of (V). The relevant file has already been sent to H.M.C-1 for the purpose. This may perhaps be sent to the Hon. Member now to facilitate his answering any supplementary questions.

The 7.3.34.
7/3

7.3 Cl

H1MB
7.3.34.

C1

Please see extract from Leg. Council Proceedings at h8 C.F. No action is called for. The papers may be

Go/MS. No 182 d 10-4-1934

"Recorded"

8/3/34

Seen by Hon. Member 9.3

CHIEF SECRETARY DY. SECRETARY GOVT. OF MADRAS 9 MAR 1934 CONFT. SECTN.

L.C.Q – March. 1934
Arms Act – South Kanara dist – Gun licences – Cancellation

TB 8.3.34